

The Carl Junction City Council met in special session on Tuesday December 04, 2012 at 6:30 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Steve Daniels, Mark Powers, Dee Lynn Davey, Sean Haase and Tim Smith. Aldermen Richard Zaccardelli, Don Marshall and Bob Cook were absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

**AGENDA**

Mark Powers motioned to approve the agenda as presented. Sean Haase seconded. All in favor. No opposed.

**ORDINANCE AMENDING 115.070 SELECTION SUCCESSORS FOR VACANCIES IN OFFICE**

Mike Talley explained that we need 5 members of the Board to pass an ordinance. The ordinance on the agenda tonight is to make our City Code match the State Statute. It was asked if a Board member could vote by phone to pass this ordinance. There was a lot of discussion to that effect. It was stated that we probably could do that but do we want to. Mike Talley does not want to do anything that could be questioned later on. Mike explained the research that led him to this ordinance being drafted. We followed our city code at the last meeting. We do not have 5 council members present to pass the ordinance on the agenda.

**APPOINT TIM SMITH TO VACAN WARD II POSITION**

Mayor Moss stated he would like to appoint Tim Smith to Ward II with the consent of the council. There was concern about people questioning the legitimacy of the appointment. Mike Talley said that we could appoint Mr. Smith tonight and delay any actions that could be challenged legally. We can then pas the ordinance and appoint Mr. Smith again when all the council is here so that there would be no question. Mayor Moss stated he would like to appoint Tim Smith the vacancy of Ward II. Dee Lynn Davey motioned to approve the Mayor's appointment of Tim Smith. Mark Powers seconded. All in favor (4-Daniels, Powers, Davey, Haase). No opposed. Tim Smith did not vote. Mike Talley stated that we would put the ordinance on the next agenda to be acted on when the other council members are in attendance.

**ADJOURNMENT**

Mark Powers motioned to adjourn the meeting. Steve Daniels seconded. All in favor. No opposed. Meeting adjourned at 6:55 PM.

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CITY CLERK

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MAYOR